



11-05-04

Attorney Docket No.: US-1388-FFEM

IFAS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application No.: 10/676,885

Examiner: Jiping Lu

Filing Date: 09/30/2003

Art Unit: 3749

Applicant: John P. Townsend, et al.

Title: Method and Apparatus for Preheating Particulate Material

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Dear Sir:

This is in response to the Office Action mailed 04 May 2004 relating to the above-referenced patent application.

In response to the Office Action, please enter the following:

**Amendment**

Please cancel claims 24 and 25.

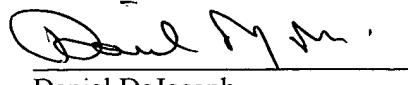
**Remarks**

The pending claims in the application are claims 1 – 25. Claims 1 – 3, 6, 8 – 12, 24 and 25 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gardner, U.S. Patent 5,915,959 (hereinafter “Gardner”). Furthermore, claims 4 – 5, 7, 15 – 19, and 22 stand rejected under

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**CERTIFICATION UNDER 37 CFR 1.136(a)**

I hereby certify that this Response and any documents referred to as enclosed therein are being deposited with the United States Postal Service on this date 04 November 2004 in an envelope as “Express Mail Post Office to Addressee” Mailing Label Number ED 231057442 US addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Daniel DeJoseph